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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,118	10/25/2001	Mark R. Jolly	IR-2908(EV)	5687

7590 02/11/2003  
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EXAMINER

BUTLER, DOUGLAS C

ART UNIT	PAPER NUMBER
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3683

DATE MAILED: 02/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



10/037, 118

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Commissioner of Patents and Trademarks

See pages 2-3

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### DETAILED ACTION

1. The reply filed on January 13, 2003 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): .

Applicants' indication that 36 out of 36 claims read on the elected embodiments of Figure 1 is incorrect. For example, the elected embodiment does not include the features of "return-to-center acting device" of claim 4, lines 1-2, the "backlash" feature of claim 5, the "seals" of claim 8, line 2[Figure 1 has a "seal 27".]; the "return-to-center acting device" of claim 9, lines 1-2, the "backlash" feature of claim 10, "return-to-center acting device" of claim 14, the "backlash" feature of claim 15, the "return-to-center acting device" of claim 19, the "seals" of claim 22, the "return-to-center acting device" of claim 24, claim 28, claim 34, the "tapered" feature of claim 30, etc.. More likely than not other claims don't read on the elected embodiment. It may be that applicants intended to elect another embodiment.

**Applicants are required to elect an embodiment and list accurately and unambiguously those claims readable thereon.** Applicants should decide upon an embodiment and look to the specification which describes the elected embodiment rather than to an elected embodiment and other blended embodiments that are possible. Applicant's representatives' cooperation is requested. Applicants should understand that the requirement for applicants to come forward with an accurate listing is separate and apart from applicants' traversal of the election requirement.

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See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

**2. COMMENTS INTENDED TO ADVANCE THE PROSECUTION:**

Applicants should note that a number of features are claimed but not shown. For example, the “means for...monitoring the operation of the brake” of claim 1, the last two lines, the “sensors” of claim 13, “the sensors” of claim 23, , etc., are not shown. See 37CFR1.83(a). The general allusions to “control electronics”, “control devices”, “amplifiers”, “sensors”, etc., on page 8 of the specification is not particularly meaningful in that the features are not shown. While applicants may use a “black box” such as 25 in Figure 1 to represent “electronics”, to then specify individual components within the box and interrelate these non-illustrated features among themselves presumably in attempting to define over the prior art will not be found persuasive. A full disclosure will be required to any claimed features. No new matter can be added to this application.

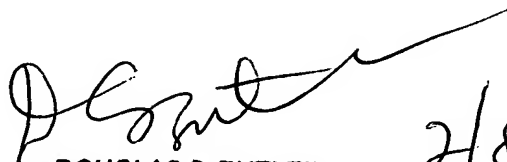
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Exmr. Butler whose telephone number is (703) 308-2575. The examiner is normally in the USPTO Monday-Friday from 5:30 a.m. to 2:00p.m. Although the examiner may not always be present in his office to immediately answer the phone when called, the examiner

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will make every effort to return the call as soon as possible. If the examiner does not answer his phone, the examiner suggests that a brief message be recorded on the examiner's voice mail machine when necessary and appropriate. The examiner normally checks recorded phone calls at least once a day unless on leave.

The fax phone number for the organization where this application or proceeding is assigned is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

  
DOUGLAS C. BUTLER  
PRIMARY EXAMINER  
2/8/03  
AU 3683